 <b>TRANSMITTAL FORM</b>	Application No.:	10/024,971
	Filing Date:	December 19, 2001
	First Named Inventor:	Joseph P. Russo, et al
	Confirmation No.	4871
	Group Art Unit	2165
	Examiner:	Pardo, Thuy N.
Total Number of Pages in this Submission:		Customer No. 24227
		Docket No. EMC-01-109

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> <b>Authorization for the Commissioner to charge Deposit Account No. 05-0889 for fees associated with this transaction (in duplicate)</b>	<input type="checkbox"/> Assignment <input type="checkbox"/> Recordation Cover Sheet <input type="checkbox"/> Declaration/Power of Attorney	<input type="checkbox"/> Petition for Revival of an Unintentionally Abandoned Application [37 CFR 1.137(b)] (in duplicate)
<input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Decl.	<input checked="" type="checkbox"/> <b>Power of Attorney and Correspondence Address Indication Form</b>	<input type="checkbox"/> Status Inquiry
<input type="checkbox"/> Extension of Time Request for _____ Months	<input checked="" type="checkbox"/> <b>Statement Under 37 CFR 3.73(b)</b>	<input type="checkbox"/> Form PTOL-85B, Part B -Issue Fee Payment Transmittal," (in duplicate)
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Formal Drawings <input type="checkbox"/> Letter to Official Draftsperson with _____ (____) sheets of redlined changes to drawings	<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Request for Continued Examination Transmittal	<input type="checkbox"/> Copy of PTO 948, "Notice of Draftsperson's Patent Review"	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Preliminary Amendment	<input type="checkbox"/> Power of Attorney <input type="checkbox"/> Statement Under 37 CFR 3.37(b)
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Additional Enclosures:	<input checked="" type="checkbox"/> <b>Certificate of First Class Mailing</b>
<input type="checkbox"/> Fee Transmittal (in duplicate)		<input type="checkbox"/> Certificate of Express Mail Mailing <input checked="" type="checkbox"/> <b>Postcard</b>

**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

Date <u>November 7, 2005</u>	<u>Robert Kevin Perkins Esq.</u> Robert Kevin Perkins Esq. (Reg. No. 36,634) EMC Corporation Office of the General Counsel 176 South Street Hopkinton, MA 01748
Tel: (508) 293-6985 Fax: (508) 293-7189	

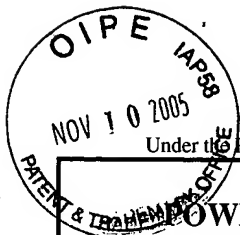
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I hereby certify that this correspondence and the above-referenced enclosures are being:

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☐ Transmitted by facsimile on the date shown below to the Patent and Trademark Office at (703)

Date November 8, 2005

Signature Sandra A. Kulaga  
 Sandra A. Kulaga  
 Typed or printed name of person signing certificate



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**POWER OF ATTORNEY  
AND  
CORRESPONDENCE ADDRESS  
INDICATION FORM**

Application Number	10/024,971
Filing Date	December 19, 2001
First Named Inventor	Joseph P. Russo, et al
Title	System and Method for Configuring ...
Art Unit	2165
Examiner Name	Pardo, Thuy N.
Attorney Docket Number	EMC-01-109

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

☒ Practitioners associated with the Customer Number:

24227

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The address associated with the above-mentioned Customer Number:

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Individual Name  
Address

City

State

Zip

Country

Telephone

Email

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
*Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)***SIGNATURE of Applicant or Assignee of Record**

Signature	<i>John M. Gunther</i>	Date	11-7-05
Name	John M. Gunther	Telephone	508-293-7255
Title and Company	Vice President and Assistant General Counsel, EMC Corporation		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: EMC Corporation

Application No./Patent No. 10/024,971 Filed/Issue Date: December 19, 2001

Entitled: System and Method for Configuring and Performing Application Backups and Restores in the Diverse Environments

EMC Corporation

a

Corporation

(Name of assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 012405, Frame 0930, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

John M. Gunther  
Signature

John M. Gunther  
Printed or Typed Name

Vice President and Assistant General Counsel

Title

11-7-05

Date

508-293-7255

Telephone Number

26,715

Registration Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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emc-01-109

FEBRUARY 21, 2002

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EMC CORPORATION  
ROBERT KEVIN PERKINS  
OFFICE OF THE GENERAL COUNSEL  
35 PARKWOOD DR  
HOPKINTON, MA 01748



\*101932106A\*

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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/19/2001

REEL/FRAME: 012405/0930  
NUMBER OF PAGES: 7

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
RUSSO, JOSEPH P.

DOC DATE: 12/18/2001

ASSIGNOR:  
PAVKOVIC, EDDIE

DOC DATE: 12/18/2001

ASSIGNOR:  
MERLET, BENOIT J.

DOC DATE: 12/18/2001

ASSIGNOR:  
PHILLIPS, JEFFREY S.

DOC DATE: 12/18/2001

ASSIGNOR:  
CHAUDHRY, PUNEESH

DOC DATE: 12/18/2001

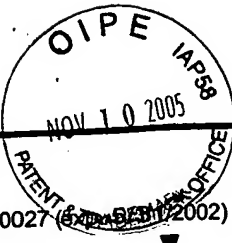
ASSIGNEE:  
EMC CORPORATION  
35 PARKWOOD DR  
OFFICE OF THE GENERAL COUNSEL  
HOPKINGTON, MASSACHUSETTS 01748

012405/0930 PAGE 2

SERIAL NUMBER: 10024971  
PATENT NUMBER:

FILING DATE: 12/19/2001  
ISSUE DATE:

LAZENA MARTIN, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



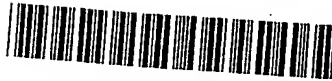
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U.S. Patent and Trademark Office

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ad original documents or copy thereof.

To the Honorable Commissioner of Patents and Trademarks

1. Name of conveying party(ies):

Joseph P. Russo  
Eddie Pavkovic  
Benoit J. Merlet  
Jeffrey S. Phillips  
Puneesh Chaudhry

12/19/01

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: December 18, 2001

2. Name and address of receiving party(ies)

Name: EMC Corporation

Internal Address: Office of the General Counsel

Street Address: 35 Parkwood Dr

City: Hopkinton State: MA Zip: 01748

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: 12/19/01

A. Patent Application No.(s)

10024971

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Robert Kevin Perkins

Internal Address: EMC Corporation

Office of the General Counsel

Street Address: 35 Parkwood Dr

City: Hopkinton State: MA Zip: 01748

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00

☐ Enclosed

☒ Authorized to be charged to deposit account

8. Deposit account number:

05-0889

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Robert Kevin Perkins

Name of Person Signing

Robert Kevin Perkins  
Signature

December 19, 2001  
Date

Total number of pages including cover sheet, attachments, and documents: 8

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents & Trademarks, Box Assignments  
Washington, D.C. 20231

01/02/2002 GTON11 00000041 050889 10024971

01 FC:581 40.00 CH

## ASSIGNMENT

WHEREAS, We, Joseph P. Russo, Eddie Pavkovic, Benoit J. Merlet, Jeffrey S. Phillips and Puneesh Chaudhry have invented an invention comprising and/or embodying certain improvements or discoveries or both as described in an application for Letters Patent of the United States entitled *A SYSTEM AND METHOD FOR CONFIGURING AND PERFORMING APPLICATION BACKUPS AND RESTORES IN DIVERSE ENVIRONMENTS*, the specification of which:

☒ is being executed on even date herewith and is about to be filed in the United States Patent Office;

☐ was filed on \_\_\_\_\_ as U.S. Application No. \_\_\_\_\_;

☐ was patented under U.S. Patent No. \_\_\_\_\_ on \_\_\_\_\_.

WHEREAS, EMC Corporation (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the Commonwealth of Massachusetts and having a usual place of business at 35 Parkwood Drive, Hopkinton, Massachusetts 01748 desires to acquire an interest therein in accordance with agreements duly entered into with us;

NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, the entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said application, together with the entire right, title and interest in and to said application and such Letters Patent as may issue thereon; said invention, application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey to ASSIGNEE all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. We hereby acknowledge that this assignment, being of the entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein;

AND, We hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its

successors, assigns and legal representatives, but at its or their expense and charges, including the execution of applications for patents in foreign countries, and the execution of substitution, reissue, divisional or continuation applications and preliminary or other statements and the giving of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;

AND, We do hereby authorize and request the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said ASSIGNEE, its successors, assigns, and legal representatives.

IN TESTIMONY WHEREOF, We have hereunto set our hands and affixed our seals as set forth below:

Date: 12-18-2001

*Joseph P. Russo*

Inventor's Signature

Print full name of first inventor:

Joseph P. Russo

Residence:

364 West Main Street, Millbury, MA 01527

Citizenship:

USA

Mailing Address:

364 West Main Street, Millbury, MA 01527

STATE/Commonwealth of Massachusetts  
COUNTY OF Middlesex

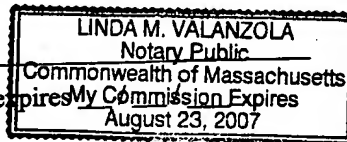
Then personally appeared before me the above-named Joseph P. Russo and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this 18 day of December, 2001.

*Linda M. Valanzola*

Notary Public

Print Name: \_\_\_\_\_

My Commission expires \_\_\_\_\_





Date:

12/18/2001

Eddie Pavkovic

Inventor's Signature

Print full name of second inventor:

**Eddie Pavkovic**

Residence:

7 Magnolia Drive, Westford, MA 01886

Citizenship:

USA

Mailing Address:

7 Magnolia Drive, Westford, MA 01886

STATE/Commonwealth of Massachusetts  
COUNTY OF Middlesex

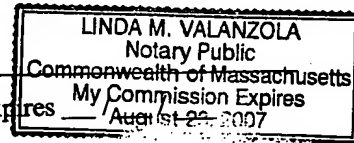
Then personally appeared before me the above-named Eddie Pavkovic and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this 18 day of December, 2001.

Linda M. Valanzola

Notary Public

Print Name: \_\_\_\_\_

My Commission expires \_\_\_\_\_



Date: 12/18/2001

[Signature]  
Inventor's Signature

Print full name of third inventor:

**Benoit J. Merlet**

Residence:

86 Bartlett Street, Chelmsford, MA 01824

Citizenship:

France

Mailing Address:

86 Bartlett Street, Chelmsford, MA 01824

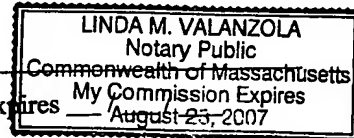
STATE/Commonwealth of Massachusetts  
COUNTY OF Middlesex

Then personally appeared before me the above-named Benoit J. Merlet and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this 18 day of December, 2001.

[Signature]  
Notary Public

Print Name: \_\_\_\_\_

My Commission expires \_\_\_\_\_



Date: 12/18/01

Jeffrey S. Phillips  
Inventor's Signature

Print full name of fourth inventor:

**Jeffrey S. Phillips**

Residence:

20 Adams Circle, Northbridge, MA 01534

Citizenship:

USA

Mailing Address:

20 Adams Circle, Northbridge, MA 01534

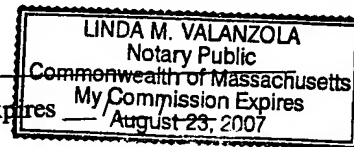
STATE/Commonwealth of Massachusetts  
COUNTY OF Middlesex

Then personally appeared before me the above-named Jeffrey S. Phillips and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this 18 day of December, 2001.

Linda M. Valanzola  
Notary Public

Print Name: \_\_\_\_\_

My Commission expires \_\_\_\_\_



Date: 12/18/2001

*Puneesh Chaudhry*

Inventor's Signature

Print full name of fifth inventor:

**Puneesh Chaudhry**

Residence:

16 Sidney Road, Apt. L, Milford, MA 01757

Citizenship:

India

Mailing Address:

16 Sidney Road, Apt. L, Milford, MA 01757

STATE/Commonwealth OF Massachusetts  
COUNTY OF Middlesex

Then personally appeared before me the above-named Puneesh Chaudhry and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this 18 day of December, 2001.

*Linda M. Valanzola*

Notary Public

Print Name: \_\_\_\_\_

My Commission expires \_\_\_\_\_

